



IN THE U.S. PATENT AND TRADEMARK OFFICE

33813
J. Douglas
7/20/01
313-008-2

Re application of :
F. J. Maguire, Jr. :
Serial No. 09/772,016 :
Filed: January 29, 2001 : Group Art Unit: 2613
Continuation-In-Part Application of
Serial No. 08/794,122 : Examiner: M. Lee
Filed: February 3, 1997 : Group Art Unit: 2516

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For: APPARATUS FOR INDUCING ATTITUDINAL HEAD
MOVEMENTS FOR PASSIVE VIRTUAL REALITY

CLAIM OF BENEFIT OF EARLIER FILING DATE
UNDER 35 USC 120 and 37 CFR 1.78 (a)(2)

Assistant Commissioner for Patents
U.S. Patent and Trademark Office.
Washington DC 20231

Sir:

On page 1, line 9 of the present specification, Applicant made reference to and claimed priority from U.S. Patent Application 09/524,491 filed March 13, 2000. However, Applicant inadvertently omitted this reference from the Combined Declaration and Power of Attorney submitted with the patent application. Applicant hereby claims priority under 35 USC 120 to U.S. S/N 09/524,491, filed March 13, 2000.

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I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington D.C. 20231.

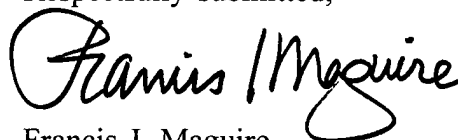
Margery B. Hood
Margery B. Hood

Dated:

June 5, 2001

Applicant submits herewith a Substitute Declaration and Power of Attorney which corrects this inadvertent omission. Insofar as the reference to the earlier application S/N 09/524,491, was made on page 1 of the specification and a claim of priority expressly made at that point, it is believed that the requirement of 37 CFR 1.78(a)(2) with respect to making this claim within four months has been met. However, even if this is not the case, it is believed that this filing is a proper claim of priority within sixteen months from the filing date of the prior application, also under 37 CFR 1.78(a)(2).

Respectfully submitted,



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FJM/mbh
June 5, 2001
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